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OFFICE OF PETITIONS

In re Application of Dean :
Application No. 10/786,709 :
Filing Date: February 24, 2004 :
Attorney Docket No. 020505 :

Decision on Petition

This is a decision on the petition under 37 CFR 1.181, filed March 21, 2007, to withdraw the holding of abandonment.

The petition is **granted**.

A non-final Office action was mailed April 7, 2006. The Office action set a three (3) month shortened statutory period for reply.

A Notice of Abandonment was mailed on December 1, 2006. The Notice of Abandonment stated the application was abandoned because a reply had never been received in response to the April 7, 2006 Office action.

Petitioner contends a reply and request for a three-month extension of time were timely filed October 5, 2006.

The Office has been able to locate the papers filed October 5, 2006. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The three-month extension of time fee of \$1,020 has been charged to petitioner's deposit account per the fee authorization filed October 5, 2006.

Technology Center Art Unit 2618 will be informed of the instant decision and the papers filed October 5, 2006, will be entered by the Technology Center's technical support staff. Thereafter, the examiner will consider the amendment in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


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